IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)
FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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Writ Petition No. 10477 of 2000

Between:

1. Pinto S/o.Thomas,
   Tirmulgherry Village & Mandal, Secunderabad.
2. Joshpin S/o.Late Anthony
   Tirmulgherry Village & Mandal, Secunderabad.
3. Ashrif Bee S/o.Lawrence
   Tirmulgherry Village & Mandal, Secunderabad.
4. Parvathamma W/o.Noyagam
   Tirmulgherry Village & Mandal, Secunderabad.
5. M.Susai S/o.Harry
   Tirmulgherry Village & Mandal, Secunderabad.
6. Saroja W/o.Harry
   Tirmulgherry Village & Mandal, Secunderabad.
7. Polin S/o.Stevan
   Tirmulgherry Village & Mandal, Secunderabad.
8. Dasarath S/o.Ratnam
   Tirmulgherry Village & Mandal, Secunderabad.
9. Vijaya W/o.Peral
   Tirmulgherry Village & Mandal, Secunderabad.
10. Julie W/o.Sunny
    Tirmulgherry Village & Mandal, Secunderabad.
11. Lilly W/o.Thomas
    Tirmulgherry Village & Mandal, Secunderabad.
12. Bambina D/o.Mary Late
    Tirmulgherry Village & Mandal, Secunderabad.
13. A.H.Nandhan S/o.Arun Dev
    Tirmulgherry Village & Mandal, Secunderabad.
14. N.Surender S/o.Pochaiah
    Tirmulgherry Village & Mandal, Secunderabad.
15. Sogai Mosen S/o.Late Mary
    Tirmulgherry Village & Mandal, Secunderabad.
16. Sumeetha W/o.Anjaiah
    Tirmulgherry Village & Mandal, Secunderabad.
17. Phillips S/o.Arokia Swamy
    Tirmulgherry Village & Mandal, Secunderabad.

18.Ratnamma W/o.Late C.Mallesh
Tirmulgherry Village & Mandal, Secunderabad.
19.A.Babu S/o.Mallaiah
Tirmulgherry Village & Mandal, Secunderabad.
20.Narasamma W/o.Late Laxmaiah
Tirmulgherry Village & Mandal, Secunderabad.

..... PETITIONERS

AND

1. The Revenue Divisional Officer, Secunderabad.
2. The Mandal Revenue Officer, Thirmulgherry Mandal,

Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any writ, order or direction more particularly a writ in the nature of Mandamus declaring the action of the respondent No.1 in not issue possession certificates and allotment orders to the selected 20 persons as per the minutes of the meeting Collector Peshi vide Letter No.189/99, dt.15/2/1999 as well as Gram Sabha is arbitrary, illegal and violation of Article 14 of the Constitution of India.

Counsel for the Petitioners: MR.SURESH BODGE
Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

The Court made the following :

O R D E R :

This writ petition is filed seeking a writ of Mandamus declaring the action of the first respondent-Revenue Divisional Officer, Secunderabad, in not issuing the possession certificates and allotment orders to the selected 20 persons as per the minutes of the meeting held before the Collector Peshi vide letter No.189/99, dated 15.02.1999 as well as the Grama Sabha as arbitrary, illegal and violative of Article 14 of the Constitution of India.

The learned counsel appearing for the petitioners submits that the Revenue Department, Government of Andhra Pradesh, has announced a scheme for allotment of house sites to the deserving poor people under the Housing Scheme of Tirmulgherry village, in Survey No.93. Accordingly, first respondent herein has already issued D-Form pattas to 128 persons in the village. Still there were 62 persons to be allotted D-Form pattas. The Grama Sabha of Tirmulgherry village, by its meeting, declared and selected 20 most deserving poor persons out of the above 62 persons to grant allotment of house sites under the housing scheme in Survey No.93 of Tirmulgherry village. Thereafter, the second respondent-Mandal Revenue Officer, Tirumulgherry, wrote a letter to the first respondent through proceedings No.B/1160/99, dated 19.02.1999, to issue possession certificates and allotment orders to the said 20 persons. Since then the matter is pending consideration and no final orders are passed by the first respondent, they are constrained to file this writ

petition.

The respondents have filed their counter affidavit, stating that the Government of Andhra Pradesh launched G+1 housing scheme for the landless poor persons and persons living below the poverty line. The housing scheme was taken up and there were nearly 190 persons, who were issued house site pattas. Out of 190 patta holders, 128 patta holders were allotted flats at first instance and again out of the remaining 62 persons, 20 patta holders, who are the petitioners herein, have been selected for allotment of flats. Ultimately, stated that the petitioners' claim for eligibility has been considered, after conducting enquiry by the Mandal Revenue Officer, Tirmulgherry, and the Revenue Divisional Officer, Secunderabad, and in first instance, 12 patta holders have been issued the possession certificates and for the remaining eight patta holders, the enquiry is under process.

Under those circumstances, I deem it appropriate to dispose of the writ petition, with a direction to the respondents to complete the enquiry and take immediate steps, preferably within eight weeks from today, to issue the possession certificates to the remaining eight persons also.

With the above direction, the writ petition is disposed of. No order as to costs.

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ELIPE DHARMA RAO, J.

Dated: 17th June, 2005.

CS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Revenue Divisional Officer, Secunderabad.
2. The Mandal Revenue Officer, Thirmulgherry Mandal,

Secunderabad.

3. Two C.Cs. to the Government Pleader for Revenue, High

Court Buildings, Hyderabad. (O.U.T.)

4. 2 CD copies

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